COR 12/18/20 ✓

# Wetlands Applications Decision Report

Decisions Taken
02/10/2020 to 02/16/2020

**DISCLAIMER:**

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

**APPEAL:**

Any party aggrieved by a decision may file an appeal within 30 days of the date of this decision as specified in RSA 482-A:10, RSA 21-O:14, and the rules adopted by the Wetlands Council, Env-WtC 100-200.

The appeal must be filed directly with the Council, c/o the Council Appeals Clerk, who may be contacted at (603) 271-6072 or atappeals@des.nh.gov. The notice of appeal must set forth fully every ground upon which it is claimed that the decision complained of is unlawful or unreasonable. Only those grounds set forth in the notice of appeal can be considered by the council.

**MAJOR IMPACT PROJECT**
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**2008-00205** **J&S GREYSTONE**
**NH COMMUNITY DEVELOPMENT FINANCE AUTHORITY**
**RAYMOND Unnamed Wetland**

Requested Action:

Applicant requests amending conditions/findings.

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APPROVE AMENDMENT
Impact a total of 196,939 square feet (4.52 acres) of palustrine forested, emergent, and scrub-shrub wetland for the construction of a mixed use commercial and residential development as part of the Town of Raymond's Master Plan. Compensatory mitigation involves a one-time payment of $249,647.55 to the NHDES Aquatic Resource Mitigation (ARM) Fund and partial credit for a 304 acre land conservation parcel known as the Dearborn Property identified as Raymond Tax Map 25 Lot 11 as recorded at the Rockingham County Registry of Deeds as Book 5678 Page 1943 through a Conservation Easement Deed held by Bear-Paw Regional Greenways. Partial credit is also provided through land conservation of a 20 acre parcel known as the Riverside Park Parcel identified as Raymond Tax Map 27 Lot 10 as recorded at the Rockingham County Registry of Deeds as Book 5880 Page 0122.

With Conditions:
1. All work shall be in accordance with plans by Woodland Design Group, Inc. dated December 5, 2008 and revised through 3/14/12 as received by the NH Department of Environmental Services (NHDES) on March 14, 2018.
2. This approval is not valid until NHDES receives a one-time payment of $274,612.30 to the NHDES Aquatic Resource Mitigation (ARM) Fund. The applicant shall remit payment to NHDES. If NHDES does not receive payment within 120 days of the date of this approval letter, NHDES will deny the application.
3. This approval is contingent on receipt of completed monitoring reports documenting current conditions on both conservation parcels as prepared by Bear-Paw Regional Greenways and an easement monitor assigned by the Town of Raymond.
4. Wetland impacts authorized hereby may not be commenced/incurred unless and until such impacts are consistent with an Alteration of Terrain (AoT) permit approved pursuant to RSA 485-A:17 and Rule Env-Wq 1500. NHDES understands that multiple AoT applications may be filed and approved in accord with successive filings and that not all terrain alteration will be processed as a singular AoT filing.
5. This permit is not valid until it has been recorded with the Rockingham County Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to NHDES by certified mail, return receipt requested.
6. The permittee shall schedule pre-construction meetings with NHDES staff to occur at least 48 hours prior to the start of any work authorized by this permit to review the conditions of this wetlands permit with each successive AoT permit. The meetings will be held at the NHDES offices in Concord and shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
7. The qualified professional(s) shall inspect the construction areas and submit a monitoring report to NHDES after a rain event of 1/2 inch or greater within a 24 hour period during restoration activities. The monitoring reports shall include, but not be limited to, documentation of erosion control deployment, construction sequencing, construction activities and status of construction at time of initial monitoring report. Photographs should depict all stages of construction sequencing.
8. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require further permitting.
9. The use of welded plastic or 'biodegradable plastic' netting or thread in erosion control matting shall not be allowed. Several 'wildlife friendly' options such as woven organic material (e.g., coco matting) are commercially available.
10. Before the start of construction, a site inspection shall be performed by a certified wildlife biologist to locate wood, spotted, and Blanding's Turtle or identify current or past turtle nests in the project area.
11. Daily inspections shall be performed to identify presence of wood, spotted, and Blanding's Turtles in all work areas including, parking areas, and equipment staging areas not enclosed by silt fence.
12. Construction personnel shall receive training in the identification of wood, spotted, and Blanding's turtle species and are

aware of their protected status.
13. IF WOOD, SPOTTED OR BLANDING'S TURTLES ARE FOUND LAYING EGGS IN THE WORK AREA, PLEASE CONTACT MELISSA DOPERALSKI AT 271-1738, JOSH MEGYESY AT 271-1125, OR KIM TUTTLE AT 271-6544 FOR FURTHER INSTRUCTIONS.
14. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Rule Env-Wq 1700.
15. Work shall be done during seasonal low flow conditions.
16. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
17. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
18. There shall be no sumps in the outlet pipes of the stormwater detention basins.
19. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
20. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation must be revegetated with like native species within three days of the completion of the disturbance.
21. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
22. Dredged materials, whether to be stockpiled or disposed of, shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside of areas subject to RSA 482-A jurisdiction.
23. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
24. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
25. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
26. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
27. Where construction activities occur between November 30 and May 1, all exposed soil areas shall be stabilized within 1 day of establishing the grade that is final or that otherwise will exist for more than 5 days. Stabilization shall include placing 3-inches of base course gravels, or loaming and mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:
1. This is a major impact project per Administrative Rule Env-Wt 303.02(c) Projects that involve alteration of nontidal wetlands, nontidal surface waters, and banks adjacent to nontidal surface waters in excess of 20,000 square feet in the aggregate.
2. This property was formally a gravel pit in the 1960's when the seasonal high water table had been intercepted and the site has overgrown with successional vegetation growth.
3. The applicant proposes to develop the Subject Property for mixed-use retail, commercial, and multi-family residential uses, which shall also be the subject of municipal permitting with the Town of Raymond.
4. All impervious surfaces will be treated by stormwater management systems as permitted by Alteration of Terrain Permits.
5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03.
6. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
7. The applicant has reviewed on-site options for mitigation and the department has determined that this project is acceptable for payment to the Aquatic Resource Mitigation (ARM) Fund.
8. NHDES has given partial credit for a 304 acre parcel known as the Dearborn Property identified as Raymond Tax Map 25 Lot 11 as recorded at the Rockingham County Registry of Deeds as Book 5678 Page 1943 as a Conservation Easement Deed held by Bear-Paw Regional Greenways. This parcel includes 304 acres with almost 4,000 linear feet of frontage on Onway Lake. There are over 47 acres of wetland including a 17 acre fen bordering the lake and eight (8) verified vernal pools. Also included on the property are two upland exemplary community types; a Chestnut Oak forest/woodland and an Appalachian Oak-Pine Rocky Ridge known as Dumplingtown Hill.
9. NHDES has also given partial credit for a 20 acre parcel known as the Riverside Park Parcel identified as Raymond Tax Map 27 Lot 10 as recorded at the Rockingham County Registry of Deeds as Book 5880 Page 0122 as a Deed Restriction own this parcel owned by the Town of Raymond. This parcel has 2,400 linear feet of frontage on the Lamprey River and 9.4 acres of wetland including a large buttonbush swamp complex.

10. The partial credit for the conservation parcels will be confirmed upon receipt of the monitoring reports that document no violations have occurred on the parcels since their recordation of the deeds.
11. With the consideration of these two parcels, NHDES calculated the proposed wetland loss equals a $274,612.30 ARM fund payment.
12. The NHDES decision is issued in letter form and upon receipt of the ARM fund payment, the NHDES shall issue a posting permit in accordance with Rule Env-Wt 803.08(f).
13. The payment into the ARM fund shall be deposited in the NHDES fund for the Merrimack watershed per RSA 482-A:29.
14. NH Natural Heritage Bureau (NHB) Datacheck Results Letter NHB18-1199 identifies the following vertebrate species in the vicinity of the project: Blanding's Turtle (Emydoidea blandingii) and Spotted Turtle (Clemmys guttata).
15. In response to the above-referenced NHB letter, NH Fish and Game Dept. Nongame and Endangered Species Program (NHFG) stated in an email, "We are satisfied with the mitigation, and as long as wildlife friendly erosion control matting is specified and there are no sumps in the outlet pipes of the stormwater detention basins that impacts to these turtle species will be minimized."
16. In response to NHFG's comments on the NHB letter, NHDES has added conditions to the permit to ensure the protection of the species identified in the NHB letter.
17. NH Division of Historical Resources (DHR) has reviewed the project location and found, "that there are no known properties of architectural, historical, archaeological, engineering, or cultural significance within the area of the undertaking's potential impact and no identification or evaluative studies are recommended. However; please be advised that this area is considered archaeologically sensitive for Native American resources but due to the minimal impacts this project will have on the property, DHR is not requiring an archaeological survey."
18. On January 8, 2020, the applicant submitted a request to amend the wetlands approval to reflect a phased-permit approach for the development of the property relative to alteration of terrain impacts pursuant to RSA 485-A:17 and Rule Env-Wq 1500.
19. The applicant has acknowledged NHDES' approval of this project with various non-residential and multi-family development scenarios may differ from those reflected on the approved wetlands plan set (provided they do not reflect a single-family housing concept, which might offer greater wetlands avoidance opportunities to avert the permitted filling).
20. In accordance with RSA 482-A:8, NHDES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the palustrine resources, as identified under RSA 482-A:1.

**2018-03640** **LITTLE BAY MARINA & DEVELOPMENT LLC**

**DOVER PISCATAQUA RIVER**

Requested Action:

In correspondence dated February 07, 2020, the applicant has requested to withdraw the NHDES Wetlands Permit application.

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Conservation Commission/Staff Comments:
05/28/19 per ConCom: "..voted on May 13, 2019 to endorse the NHDES Wetlands Permit.

WITHDRAW APPLICATION
In correspondence dated February 07, 2020, the applicant has requested to withdraw the NHDES Wetlands Permit application.

**2019-01909** **NH DEPT OF TRANSPORTATION**

**NEWMARKET Unnamed Stream**

Requested Action:

Impact a total of 186 square feet of bank and surface water to remove 10 linear feet of a 48 inch CMP clogged with debris that was joined to an existing 24 inch culvert and replace with 10 linear feet of 24 inch culvert to match existing condition.

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CONFIRM EMERGENCY AUTHORIZATION
Impact a total of 186 square feet of bank and surface water to remove 10 linear feet of a 48 inch CMP clogged with debris that was joined to an existing 24 inch culvert and replace with 10 linear feet of 24 inch culvert to match existing condition.

**2019-03095** **TOWN OF NEWINGTON SAU 50**

**NEWINGTON PAUL BROOK**

Requested Action:

Temporarily impact 8,790 square feet of palustrine forested, emergent and scrub-shrub wetland (impacting approximately 175 linear feet along the bank and approximately 20 linear feet within the bed of Paul's Brook), including 120 square feet of municipally-designated prime wetland, plus 129 square feet of previously-developed upland tidal buffer zone in order to replace 2,250 linear feet of sewer force main.

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APPROVE PERMIT
Temporarily impact 8,790 square feet of palustrine forested, emergent and scrub-shrub wetland (impacting approximately 175 linear feet along the bank and approximately 20 linear feet within the bed of Paul's Brook), including 120 square feet of municipally-designated prime wetland, plus 129 square feet of previously-developed upland tidal buffer zone in order to replace 2,250 linear feet of sewer force main.

With Conditions:
1. All work shall be in accordance with plans by Wright-Pierce dated September 2019, and revised through January 2020, last received by the New Hampshire Department of Environmental Services (NHDES) on January 14, 2020.
2. Not less than 5 state business days prior to starting work authorized by this permit, the permittee shall notify the NHDES Wetlands Bureau (Stefanie.giallongo@des.nh.gov) and the local conservation commission in writing of the date on which work under this permit is expected to start.
3. If any work associated with the project authorized by this permit will encroach on an abutter's property, then prior to starting work the permittee shall (1) obtain temporary construction easements or other written agreements from the owner of the abutting property, and (2) submit a copy of each agreement to the NHDES Wetlands Bureau.
4. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and New Hampshire Administrative Rule Chapter Env-Wq 1400 during and after construction.
5. Work shall be conducted during annual low flow conditions and in the dry only. No excavation shall be done in flowing water. No construction equipment shall be operated in flowing water.
6. No excavation shall be done in flowing water. No construction equipment shall be operated in flowing water.
7. Prior to construction, all wetland and surface water boundaries adjacent to construction areas shall be clearly marked to prevent unintentional encroachment on adjacent wetlands and surface waters.
8. A certified wetlands or soil scientist shall monitor the project during construction to verify that all work is done in accordance with the approved plans and narratives, adequate siltation and erosion controls are properly implemented, and no water quality violations occur.
9. Excavation and backfilling of the trench in wetland areas shall be done under the on-site supervision of the wetland or soil scientist monitoring the project. At the direction of the qualified professional, soil horizons shall be segregated appropriately in order to preserve natural soil horizons upon backfilling the trench.
10. A follow-up report including photographs of all stages of construction shall be submitted to the NHDES Wetlands Bureau within 60 days of final site stabilization.
11. Construction equipment shall have specialized low-ground-pressure tracks that impact less than four (4) pounds per square inch when loaded, or the permittee shall use timber or plywood mats beneath machines when driving over wetland areas.
12. Topsoil in wetlands shall be stripped and segregated from subsoil during deconstruction. Wetland topsoil shall be stockpiled separately from subsoil and shall be restored following backfill.

13. Native material removed from the streambed during culvert installation shall be stockpiled separately and reused to emulate a natural channel bottom. Any new materials used must be as similar to the natural stream substrate as practicable and shall not include any angular rock.
14. Any fill used shall be clean sand, gravel, rock, or other suitable material.
15. All in-stream work shall be conducted in dry conditions and in a manner that will not cause or contribute to any violations of surface water quality standards in RSA 485-A or New Hampshire Administrative Rules Env-Wq 1700.
16. To prevent the introduction or export of invasive plant species to or from the site, the permittee's contractor(s) shall clean all soils and vegetation from equipment and timber matting before it is moved to and from the site.
17. Prior to the installation of swamp mats, the mats shall be inspected for and cleaned of all vegetative matter.
18. The contractor responsible for work shall appropriately address invasive species in accordance with the NHDOT Best Management Practices for Roadside Invasive Plants (2008).
19. No person shall collect, transport, import, export, move, buy, sell, distribute, propagate or transplant any living and viable portion of any plant, which includes all of their cultivars and varieties listed in Table 3800.1 of the New Hampshire prohibited invasive species list (Agr 3802.01).
20. Prior to commencing work on a substructure located within surface waters, the permittee or permittee's contractors shall construct a cofferdam to isolate the substructure work area from the surface waters.
21. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once the cofferdam is fully effective, confined work can proceed without restriction.
22. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow only. The permittee shall monitor local weather forecasts to avoid working during or following precipitation events.
23. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
24. The temporary cofferdam shall be entirely removed within 2 days after work within the cofferdam is completed and water has returned to normal clarity.
25. Dredged materials, whether to be stockpiled or disposed of, shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside of areas subject to RSA 482-A jurisdiction.
26. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
27. Where construction activities occur between November 30 and May 1, all exposed soil areas shall be stabilized within 1 day of establishing the grade that is final or that otherwise will exist for more than 5 days. Stabilization shall include placing 3-inches of base course gravels, or loaming and mulching with tack or netting and pinning on slopes steeper than 3:1.
28. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
29. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
30. Erosion control products shall be installed per manufacturers recommended specifications.
31. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
32. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.

With Findings:
1. This is a Major Project per New Hampshire Administrative Rule Env-Wt 303.02(f), as it is located within and adjunct to municipally designated prime wetlands, designated under RSA 482-A:15.
2. The project is located within and adjacent to a municipally-designated Prime Wetland.
3. The Prime Wetland was designated by the Town of Newington and approved by NHDES on January 19, 2006 (NHDES file number: 2006-00006).
4. The Prime Wetland is 8.7 acres classified as fringe marsh, located along the Piscataqua River with minimal high marsh habitat, predominantly comprised of spartina alterniflora. It is specifically identified as "Wetland #12 Paul's Brook" and is documented to provide the following functions and values: water quality protection, groundwater recharge, flood storage, stream bed stabilization and wildlife habitat.
5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per New Hampshire Administrative Rule Env-Wt 302.03.
6. Impacts are necessary to replace an existing sewer force main. Impacts are temporary, will be monitored by a certified wetlands or soil scientist, and restored upon completion of construction.
7. Excavation and backfilling of the trench in wetland areas will be overseen by a certified wetland or soil scientist in order to preserve natural soil horizons.
8. The applicant has demonstrated by plan and example that each factor listed in New Hampshire Administrative Rule Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

9. On September 19, 2019, the Newington Conservation Commission signed the NHDES Wetlands Permit Application, indicating support of the project, as proposed, and waiving their right to intervene in the permitting process.
10. The Natural Heritage Bureau (NHB) report submitted with the application package (NHB19-2722) stated that although there was a record in the vicinity, there are no impacts to sensitive species expected as a result of the proposed project.
11. In correspondence dated April 17, 2019, the NH Division of Historical Resources found that no historic properties would be affected by the project, as proposed.
12. No comments of concern were received by NHDES from abutters or local governing organizations.
13. The US EPA has reviewed the proposed project and determined the project is eligible as proposed under the NH Programmatic General Permit (PGP) per EPA review sheet dated November 13, 2019.
14. In accordance with RSA 428-A:8, NHDES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the resource, as identified under RSA 482-A:1.

**2019-03098** **TOWN OF GILMANTON**

**GILMANTON CRYSTAL LAKE/NELSON BROOK**

Requested Action:

Dredge and fill 2,775 square feet (SF) within the bed and banks of Crystal Lake in Gilmanton (impacting 186 linear feet [LF]) and palustrine scrub-shrub wetland in order to replace an existing 20-foot-wide by 10-foot-long span bridge with a 24-foot-wide by 35-foot-long span bridge. In addition, temporarily impact 1,675 SF within the bed and banks of Crystal Lake in Gilmanton (impacting 209 LF) and palustrine scrub shrub wetland for erosion and sedimentation controls, turbidity controls, dewatering, construction access, relocating an existing utility pole, and restoration of approximately 150 SF of lake bed within the increased bridge span.

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APPROVE PERMIT
Dredge and fill 2,775 square feet (SF) within the bed and banks of Crystal Lake in Gilmanton (impacting 186 linear feet [LF]) and palustrine scrub-shrub wetland in order to replace an existing 20-foot-wide by 10-foot-long span bridge with a 24-foot-wide by 35-foot-long span bridge. In addition, temporarily impact 1,675 SF within the bed and banks of Crystal Lake in Gilmanton (impacting 209 LF) and palustrine scrub shrub wetland for erosion and sedimentation controls, turbidity controls, dewatering, construction access, relocating an existing utility pole, and restoration of approximately 150 SF of lake bed within the increased bridge span.

With Conditions:
1. All work shall be in accordance with plans by Hoyle, Tanner & Associates, Inc., dated December 2019, and revised through December 19, 2019, as received by the NH Department of Environmental Services (NHDES) on January 14, 2020.
2. The permittee shall submit a plan, stamped by a licensed surveyor, of the area to be impacted by the project on which the contours of both Full Pond Elevation at 623.19 (NGVD29) and Natural Mean High Water Elevation 617.2 feet (NGVD 1929) are clearly identified to the NHDES Wetlands Bureau, prior to the initiation of any dredge, excavation, or fill associated with the approved project.
3. This permit is not valid until the permittee or permittee's contractors submit a final construction sequence and dewatering and diversion plan to the NHDES Wetlands Bureau and the NH Fish & Game Department (NHF&G) for review and written approval. The plan shall include the relative timing and progression of all work and all proposed cofferdams, diversion and dewatering strategies, estimated maximum flow to be diverted, site stabilization provisions if capacity of diversion is exceeded, and measures to reduce turbidity and erosion. This plan shall be stamped by a licensed Professional Engineer (PE), in accordance with New Hampshire Administrative Rule Env-Wt 303.04(l).
4. This permit is not valid until the applicant/owner obtains construction easements on abutting parcels or written permission from abutting property owners if work is beyond the ROW. The permittee shall submit a copy of each recorded easement to the NHDES Wetlands Bureau prior to construction.
5. If any work associated with the project authorized by this permit will encroach on an abutter's property or occur within 20 feet of the property line, then prior to starting work the permittee shall (1) obtain temporary construction easements or other written agreements from the owner of the abutting property, and (2) submit a copy of each agreement to the NHDES Wetlands Bureau.
6. All development activities associated with this project shall be conducted in compliance with applicable requirements of

RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
7. Work shall be done during drawdown and in dry conditions only.
8. The permittee shall coordinate drawdown activities with the NHDES Dam Bureau and NH Fish and Game Department (NHF&G).
9. Per recommendation of the NHF&G, work shall be done in such a way as to maintain an open portion of the channel at all times throughout construction.
10. Per recommendation of the NHF&G, any erosion control matting used shall consist of jute matting that is fully biodegradable and does not contain any plastic netting or thread. The use of welded plastic or 'biodegradable plastic' erosion control netting and matting with plastic mesh shall be avoided to limit mortality to wildlife.
11. Work authorized shall be carried out such that there are no discharges in or to spawning or nursery areas during spawning seasons. Impacts to such areas shall be avoided or minimized to the maximum extent practicable during all other times of the year.
12. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
13. A certified wetlands scientist or qualified professional, as applicable, shall monitor the project during construction to verify that all work is done in accordance with the approved plans and narratives, adequate siltation and erosion controls are properly implemented, and no water quality violations occur. A follow-up report including photographs of all stages of construction shall be submitted to the NHDES Wetlands Bureau within 60 days of final site stabilization.
14. Not less than 5 state business days prior to starting work authorized by this permit, the permittee shall notify the NHDES Wetlands Bureau and the local conservation commission in writing of the date on which work under this permit is expected to start.
15. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
16. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.
17. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
18. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
19. Erosion control products shall be installed per manufacturers recommended specifications.
20. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
21. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA 483-B.
22. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
23. Prior to commencing work on a substructure located within surface waters, the permittee or permittee's contractors shall construct a cofferdam to isolate the substructure work area from the surface waters.
24. The temporary cofferdam shall be entirely removed within 2 days after work within the cofferdam is completed and water has returned to normal clarity.
25. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
26. Dredged materials, whether to be stockpiled or disposed of, shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside of areas subject to RSA 482-A jurisdiction.
27. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
28. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
29. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
30. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.
31. Any fill used shall be clean sand, gravel, rock, or other suitable material.
32. Native material removed from the lakebed during bridge installation shall be stockpiled separately and reused to emulate a natural channel bottom within the bridge, between wing walls, and beyond. Any new materials used must be as similar to the natural lake substrate as practicable and shall not include any angular rock. Materials used to emulate a natural lake bottom must be consistent with the bed materials identified in the reference reach, and shall not include angular riprap or gravel unless specifically identified on the approved plans.
33. Area of temporary impact shall be regraded to original contours following completion of work.

34. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
35. Where construction activities occur between November 30 and May 1, all exposed soil areas shall be stabilized within 1 day of establishing the grade that is final or that otherwise will exist for more than 5 days. Stabilization shall include placing 3-inches of base course gravels, or loaming and mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:
1. This project is classified as a Major Project per NH Administrative Rule Env-Wt 303.02(n) for fill in public waters for the purposes of making land, and Env-Wt 303.02(h) as the project will disturb more than 200 linear feet, measured along the shoreline, of a lake or pond or its bank.
2. This project involves the replacement of a deteriorating 20-foot-wide by 10-foot-long span bridge over Crystal Lake in Gilmanton with a 24-foot-wide by 35-foot-long span bridge. This project will involve 52 cubic yards of fill below the reference line elevation of 623.19 (NGVD29) in order to expand the footprint of the existing causeway to support the proposed bridge structure and the restoration of approximately 150 square feet of lake bed beneath the bridge associated with the increased bridge span.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the NHDES' jurisdiction per NH Administrative Rule Env-Wt 302.03 as the proposed bridge will significantly improve public safety of this structure, the hydraulic capacity of bridge will increase from a 10-foot span to a 35-foot span, and a portion of the lake bed beneath the bridge will be restored thus improving aquatic organism passage.
4. The applicant has demonstrated by plan and example that each factor listed in NH Administrative Rule Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. In accordance with RSA 482-A:8, NHDES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the lacustrine resources, as identified under RSA 482-A:1.
6. The need for compensatory mitigation pursuant to Env-Wt 800 was assessed and the NHDES determined that compensatory mitigation shall not be required for this project in accordance with NH Administrative Rule Env-Wt 302.03(c)(2).
7. In a New Hampshire Programmatic General Permit review dated November 13, 2019, the US Environmental Protection Agency (USEPA) determined that the project was eligible for a Programmatic General Permit through the US Army Corp of Engineers as proposed.
8. In an Intra-Division Communication Memo dated June 13, 2019, the NHDES Dam Bureau indicated that the proposed fill related to the reconstruction of the Crystal Lake Bridge would not constitute filling of land in the Public Trust and that flowage issues would still need to be addressed.
9. The NHDES Dam Bureau has deeded flowage rights on Crystal Lake in Gilmanton pursuant to Belknap County Registry of Deeds Book 383, Page 163, dated September 20, 1957.
10. In a letter dated January 9, 2020, the NHDES Dam Bureau indicated that the proposed 52 cubic yards of fill for this project below reference line elevation (NGVD29) would have a negligible effect on the NHDES' deeded flowage rights and stated that they had no objections to allowing this fill within State controlled flowage pursuant to RSA 482-A:17.
11. In a review letter dated November 07, 2017, and received by the NHDES on September 30, 2019, the NH Department of Historical Resources (DHR) stated that no historic properties will be affected by the proposed project.
12. In a letter dated April 02, 2019, and received by NHDES on September 30, 2019, the DHR determined that the existing bridge was not eligible for the National Register of Historic Places.
13. In a review letter dated May 29, 2019, and received by the NHDES on September 30, 2019, the NH Natural Heritage Bureau (NHB) identified that records of bridle shiner (Notropis bifrenatus), common loon (Gavia immer), and wood turtle (Glyptemus insculpta) were recorded in the vicinity of the project.
14. In email correspondence dated June 13, 2019, the NH Fish & Game (NHF&G) staff indicated that impacts to the protected species would not be expected for this project provided that that drawdown would not take place during breeding seasons, that flowage through the crossing is maintained throughout construction, and that wildlife friendly erosion control matting that is free of welded plastic or "biodegradable plastic" is used to limit wildlife mortality.
15. The NHF&G recommendations were included as conditions in the permit at the request of the NHF&G staff.
16. In a regulatory reviews dated May 16, 2019, and September 18, 2019, and received by the NHDES on September 30, 2019, the US Fish and Wildlife Service found that while Northern Long-eared Bats (Myotis septentrionalis) were present in the vicinity of the site, there were no critical habitats for this species at this location.
17. In a letter signed July 14, 2019, and received by the NHDES on September 30, 2019, the abutting property owner granted the applicant consent to perform the work authorized under this permit on or within 20 feet of their property at Gilmanton Tax Map #104 Lot #1.
18. In a letter signed July 26, 2019, and received by the NHDES on September 30, 2019, the abutting property owner granted the applicant consent to perform the work authorized under this permit on or within 20 feet of their property at Gilmanton Tax Map #104 Lot #2, provided that the bridge under-clearance be no lower than its existing design and the water depth is sufficient for passage.

19. As of February 13, 2020, no comments of concern have been received by the NHDES from abutters or local governing organizations.
-Send to Governor and Executive Council-

**2019-03386** **NH DEPT OF TRANSPORTATION**

**WAKEFIELD PROVINCE LAKE**

Requested Action:

Temporarily impact 58 square feet within the bed and bank of Province Lake (impacting 24 linear feet along the shoreline), 239 square feet within the bed and bank of South River (impacting 50 linear feet) and 182 square feet of palustrine scrub-shrub wetland in the riparian zone to replace two existing deteriorating metal arch pipes with a 4-foot by 8-foot closed-bottom concrete box culvert with stream simulation.

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APPROVE PERMIT
Temporarily impact 58 square feet within the bed and bank of Province Lake (impacting 24 linear feet along the shoreline), 239 square feet within the bed and bank of South River (impacting 50 linear feet) and 182 square feet of palustrine scrub-shrub wetland in the riparian zone to replace two existing deteriorating metal arch pipes with a 4-foot by 8-foot closed-bottom concrete box culvert with stream simulation.

With Conditions:
1. All work shall be in accordance with plans by the Department of Transportation - District 3, for Project M312-13 NH Route 153 over South River dated December 17, 2019 last received by NH Department of Environmental Services (NHDES) on January 10, 2020.
2. If any work associated with the project authorized by this permit will encroach on an abutter's property then, prior to starting work, the permittee shall (1) obtain temporary construction easements or other written agreements from the owner of the abutting property, and (2) submit a copy of each agreement to the NHDES Wetlands Bureau.
3. Prior to construction, all wetland and surface water boundaries adjacent to construction areas, plus the nearby area where threatened plant species have been relocated, shall be clearly marked with orange construction fencing to prevent unintentional encroachment on adjacent wetlands, surface waters or the recently transplanted individuals.
4. Not less than 5 state business days prior to starting work authorized by this permit, the permittee shall notify the NHDES Wetlands Bureau and the local conservation commission in writing of the date on which work under this permit is expected to start.
5. A Certified Wetland Scientist (CWS) or qualified professional, as applicable, shall monitor the project during and post-construction to verify that all work is done in accordance with the approved plans and narratives, adequate siltation, erosion and turbidity controls are properly implemented, no water quality violations occur and riverbank vegetation established successfully.
6. The permittee shall notify the NHDES Wetlands Bureau in writing of the CWS or qualified professional who will be responsible for monitoring and ensuring that the project area is constructed and restored in accordance with the approved plans. The permittee shall re-notify the NHDES Wetlands Bureau if the identity of the individual changes during the project.
7. A report prepared by a CWS or Qualified Professional, as applicable, documenting status of the project area and restored jurisdictional area, including photographs of all stages of construction, shall be submitted to the NHDES Wetlands Bureau within 60 days of the completion of construction.
8. All in-stream work shall be conducted during annual low flow conditions and in a manner that will not cause or contribute to any violations of surface water quality standards in RSA 485-A or New Hampshire Administrative Rule Chapter Env-Wq 1700.
9. The permittee shall monitor local weather forecasts to avoid working during or following precipitation events.
10. Work authorized shall be carried out such that there are no discharges in or to spawning or nursery areas during spawning seasons. Impacts to such areas shall be avoided or minimized to the maximum extent practicable during all other times of the year.
11. Native material removed from the streambed shall be stockpiled separately and reused to emulate a natural channel bottom within the channel, between wing walls, and beyond. Any new materials used must be as similar to the natural stream substrate as practicable and shall not include any angular rock.
12. Any rip rap located across the stream channel bed shall be located subgrade with stream bed simulation at the channel bed surface in order to maintain low-flow and natural bed material conditions through the culvert.

13. No excavation shall be done in flowing water. No construction equipment shall be operated in flowing water.
14. Any fill used shall be clean sand, gravel, rock, or other suitable material.
15. Dredged materials, whether to be stockpiled or disposed of, shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside of areas subject to RSA 482-A jurisdiction.
16. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation must be revegetated with like native species within three days of the completion of the disturbance.
17. To prevent the import and/or export of invasive plant species to or from the site, the permittee's contractor(s) shall clean all soils and vegetation from construction equipment and matting before such equipment is moved to the site and prior to demobilization from the site.
18. The permittee/permittee's contractor shall use only biodegradable, wildlife-friendly, erosion control netting not to include materials comprised of welded plastic.
19. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
20. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
21. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
22. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
23. Prior to commencing work on a substructure located within surface waters, the permittee or permittee's contractors shall construct a cofferdam to isolate the substructure work area from the surface waters.
24. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once the cofferdam is fully effective, confined work can proceed without restriction.
25. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
26. The temporary cofferdam shall be entirely removed within 2 days after work within the cofferdam is completed and water has returned to normal clarity.
27. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
28. Erosion control products shall be installed per manufacturers recommended specifications.
29. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
30. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
31. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
32. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.

With Findings:
1. This is a Major Project per New Hampshire Administrative Rule Env-Wt 303.02(p), as it proposes to replace a tier 3 stream crossing. The watershed drainage area at the point of the crossing is approximately 928 acres (1.45 square miles, per USGS Stream Stats).
2. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per New Hampshire Administrative Rule Env-Wt 302.03. The project will improve hydraulic and geomorphic conditions relative to the existing crossing.
3. The existing structure consists of two 28-inch metal arch pipes.
4. The applicant has demonstrated by plan and example that each factor listed in New Hampshire Administrative Rule Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. In accordance with New Hampshire Administrative Rule Env-Wt 904.09, the applicant has requested approval for an Alternative Design based on the width and closed-bottom of proposed crossing.
6. The project engineer has determined that, based on the hydraulic modeling, the structure will pass 100-year flood frequency events with 1.77 feet of freeboard. The proposed structure will also be installed with 1-foot of stream bed simulation material.
7. The proposed crossing has been designed in accordance with the New Hampshire Administrative Rules Env-Wt 904.01, General Design Considerations.
8. In accordance with New Hampshire Administrative Rule Env-Wt 904.09(c), the department approves the alternative design request.
9. In accordance with RSA 482-A:8, NHDES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the

riverine resource, as identified under RSA 482-A:1.
10. No comments of concern were received by NHDES from abutters or local governing organizations.
11. The Natural Heritage Bureau (NHB) report submitted with the application package (NHB18-1237) found a threatened plant species in the vicinity of the project.
12. Subsequent correspondence and coordination between NHDOT and the NHB, documented in the NHDES application file, resulted in the transplantation of approximately 100 plants, per the guidance of NHB, to avoid and minimize potential impact to these rare species.
13. This project was reviewed at the Natural Resource Agency Coordination Meeting on August 15, 2018 and with NHDES Wetlands Bureau Mitigation Program staff on September 06, 2019.
14. In accordance with New Hampshire Administrative Rule Env-Wt 904.04(f)(1), compensatory mitigation is not required as the project, as proposed, is considered self-mitigating. The culvert will be backfilled with stream bed simulation material, the proposed culvert is 16 feet shorter than the existing structures, the existing crossing does not have a history of overtopping and the proposed hydraulic conditions will be improved.
15. A stream crossing replacement project was previously proposed at this site (NHDES File #2017-01738). That previous proposal was denied by NHDES on October 17, 2017.

**2019-03651** **GORMAN, LINDA/TIMOTHY**

**DOVER FRESH CREEK**

Requested Action:

Impact 72 square feet within the previously developed upland tidal buffer zone for construction of a 4 foot by 18-foot landing and access way. In addition, impact 545 square feet of tidal wetland to construct a tidal docking structure consisting of a 4-foot by 60-foot fixed pier, a 3-foot by 35-foot ramp and a 10-foot by 20-foot float. The overall structure length seaward of the highest observable tide line is 105 feet, providing two slips on 570 feet of frontage along Fresh Creek.

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Inspection Date: 02/13/2020 by STEFANIE M GIALLONGO

APPROVE PERMIT
Impact 72 square feet within the previously developed upland tidal buffer zone for construction of a 4 foot by 18-foot landing and access way. In addition, impact 545 square feet of tidal wetland to construct a tidal docking structure consisting of a 4-foot by 60-foot fixed pier, a 3-foot by 35-foot ramp and a 10-foot by 20-foot float. The overall structure length seaward of the highest observable tide line is 105 feet, providing two slips on 570 feet of frontage along Fresh Creek.

With Conditions:
1. All work shall be in accordance with plans by Ambit Engineering, Inc. dated November 2019, and revised through January 16, 2020, last received by the NH Department of Environmental Services (NHDES) on January 21, 2020.
2. This permit shall not be effective until recorded at the Strafford County Registry of Deeds Office by the permittee. A copy of the recorded permit shall be submitted to the NHDES Wetlands Bureau prior to construction.
3. Not less than 5 state business days prior to starting work authorized by this permit, the permittee shall notify the NHDES Wetlands Bureau Pease office and the local conservation commission in writing of the date on which work under this permit is expected to start.
4. Any future work in jurisdiction as specified in RSA 482-A on this property will require a new application and approval by the NHDES Wetlands Bureau.
5. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a)(2)(D)(iv).
6. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and New Hampshire Administrative Rule Env-Wq 1700.
7. Construction of this tidal docking structure consisting of a 4-foot by 18-foot landing and access way within the previously developed upland tidal buffer zone, a 4-foot by 60-foot fixed pier, a 3-foot by 35-foot ramp and a 10-foot by 20-foot float, with an overall structure length seaward of the highest observable tide line of 105 feet, providing two boat slips on 570 feet of frontage along Fresh Creek in Dover shall be the only dock structure on this water frontage.

8. The height of the pier's decking over the surface of the tidal wetland at normal high tide shall be a minimum of 4 feet.
9. Decking shall have at least 1-inch spacing between the decking planks to provide sufficient sunlight penetration and rainfall to underlying vegetation.
10. The structure shall be constructed to utilize float stops to maintain a minimum vertical distance of 18 inches between the bottom of the float and the surface of the mudflat at low tide.
11. The seasonal structures, including but not limited to the gangway and float, shall be removed during the non-boating season and stored on the existing pier or in an upland location.
12. Construction of the dock shall occur from a barge equipped with a crane, at low tide, to reduce potential impacts to the estuarine intertidal wetlands.
13. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain in place until the area is stabilized.
14. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
15. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
16. All construction-related debris shall be properly disposed of outside of the areas subject to RSA 482-A.
17. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:
1. This is a Major Project per New Hampshire Administrative Rule Env-Wt 303.02(a), projects in sand dunes, tidal wetlands, or bogs, except for the repair of existing structures pursuant to Env-Wt 303.04(v).
2. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the NHDES' jurisdiction per New Hampshire Administrative Rule Env-Wt 302.03.
3. The dock is the minimum length necessary to provide reasonable access at this location and float stops will prevent the dock from sitting on the mud at low tide.
4. The decking will have a minimum of 4 feet of deck height, and will have 1-inch spacing between the decking planks. Further, the applicant will be utilizing a barge and crane to complete construction of the dock from the water, and pile locations have been designed to minimize impacts to the underlying vegetation.
5. The applicant has demonstrated by plan and example that each factor listed in New Hampshire Administrative Rule Env-Wt 302.04(a) and (c), Requirements for Application Evaluation, has been considered in the design of the project.
6. The NH Natural Heritage Bureau (NHB) has record of an exemplary natural community within the vicinity of the project (NHB19-3596).
7. In correspondence dated January 13, 2020, the NHB determined that, with conditions incorporated into this permit, there would be no adverse impact the natural community as a result of this project.
8. The approved location, size and configuration of this dock is consistent with other tidal dock approvals in this area.
9. The NHDES staff field inspection on February 13, 2020 found that the site is accurately represented in the application.
10. In accordance with RSA 482-A:8, the NHDES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the estuarine resource, as identified under RSA 482-A:1.
11. In correspondence dated December 20, 2019, the Pease Development Authority, Division of Ports and Harbors, determined that the project would have no negative effect on navigation in the channel.
12. In correspondence dated December 17, 2019, the Dover Conservation Commission recommended approval of the project, as proposed.
13. In correspondence dated August 18, 2019, a letter of authorization was signed by the permittee, allowing his/her agent to act on their behalf through the permitting process.
14. In correspondence dated November 22, 2019, the New Hampshire Division of Historical Resources found that the project, as proposed, will have no effect on any potential nearby historical resources.
15. The US EPA has reviewed the proposed project and determined the project is eligible as proposed under the NH Programmatic General Permit (PGP) per EPA review sheet dated November 15, 2020.
-Send to Governor and Executive Council-

**2019-03791** **CBYW LANCASTER PROPCO LLC**

**LANCASTER Unnamed Wetland**

Requested Action:

Dredge and fill a total of 1,090 square feet within the bed and bank of Indian Brook to replace an existing deteriorated 4 foot wide x 5 foot high box culvert with a 8 foot wide x 4 foot high box culvert embedded for stream simulation.

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APPROVE PERMIT
Dredge and fill a total of 1,090 square feet within the bed and bank of Indian Brook to replace an existing deteriorated 4 foot wide x 5 foot high box culvert with a 8 foot wide x 4 foot high box culvert embedded for stream simulation.

With Conditions:
1. All work shall be in accordance with plans by Horizons Engineering dated December 2019 as received by the NH Department of Environmental Services (NHDES) on January 24, 2020.
2. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.
3. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
4. Work shall be done during low flow.
5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
7. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
8. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation must be revegetated with like native species within three days of the completion of the disturbance.
9. Prior to commencing work on a substructure located within surface waters, the permittee or permittee's contractors shall construct a cofferdam to isolate the substructure work area from the surface waters.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
11. Dredged materials, whether to be stockpiled or disposed of, shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside of areas subject to RSA 482-A jurisdiction.
12. The channel at the culvert inlet and outlet/recreated stream channel bed must maintain the natural and a consistent streambed elevation and not impede stream flow.
13. Proper headwalls shall be constructed within seven days of culvert installation.
14. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
15. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
16. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
17. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

With Findings:
1. This is a Major Project per New Hampshire Administrative Rule Env-Wt 303.02(p), as it proposes to replace a tier 3 stream crossing. The watershed drainage area at the point of the crossing is approximately 1,434 acres (2.24 square miles).
2. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per New Hampshire Administrative Rule Env-Wt 302.03. The project will result in a hydraulic improvement over what currently exists.
3. The applicant has demonstrated by plan and example that each factor listed in New Hampshire Administrative Rule Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
4. The stream crossing is classified as Tier 3 in accordance with New Hampshire Administrative Rule Env-Wt 904.04.
5. The proposed crossing has been designed in accordance with the New Hampshire Administrative Rules Env-Wt 904.01, General Design Considerations.
6. The proposed structure will have an open bottom natural stream channel that will not be a barrier to sediment transport, not cause an increase in the frequency of flooding, and not obstruct or disrupt the movement of aquatic life.

7. The crossing is the main entrance to a elder housing and hospice care facility that is used steadily by local emergency personnel.
8. In accordance with New Hampshire Administrative Rule Env-Wt 904.04(f)(2), compensatory mitigation is not required as the project, as proposed, is a replacement of a crossing being classified as tier 3 and the proposed stream crossing meets the requirements of New Hampshire Administrative Rule Env-Wt 904.08.
9. In correspondence with NH Division of Historical Resource, it was determined that there will be no impact to historical resources as a result of this project.
10. No comments of concern were received by NHDES from abutters or local governing organizations.
11. The Natural Heritage Bureau (NHB) report (NHB19-2743) submitted with the application package stated that although there was a NHB record present in the vicinity, NHB does not expect that it will be impacted by the proposed project.
12. In accordance with RSA 482-A:8, NHDES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.

**2019-03910** **CIRCLE DRIVE ASSOCIATES LLC**

**BEDFORD SEBBINS POND**

Requested Action:

Dredge and fill 1,382 square feet within an intermittent stream (tier 1, impacting 60 linear feet) to install an 18 inch diameter by 60 foot long culvert; dredge and fill 1,382 square feet within Sebbins Brook (tier 3, impacting 35 linear feet) to install a 2 foot high by 10 foot wide by 35 foot long box culvert; and fill 2,511 square feet of vernal pool, all to construct a residential apartment complex with associated roads, parking and buildings, as well as a commercial building on the lot frontage.

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Conservation Commission/Staff Comments:
02/10/2020 per ConCom... "at their 01/28/2020 meeting voted to table the application..."
Please see letter for explanation.

APPROVE PERMIT
Dredge and fill 1,382 square feet within an intermittent stream (tier 1, impacting 60 linear feet) to install an 18 inch diameter by 60 foot long culvert; dredge and fill 1,382 square feet within Sebbins Brook (tier 3, impacting 35 linear feet) to install a 2 foot high by 10 foot wide by 35 foot long box culvert; and fill 2,511 square feet of vernal pool, all to construct a residential apartment complex with associated roads, parking and buildings, as well as a commercial building on the lot frontage.

With Conditions:
1. All work shall be in accordance with plans by Bedford Design Consultants, Inc. dated September 09, 2019, as received by the NH Department of Environmental Services (NHDES) on December 13, 2019.
2. This permit is contingent on review and approval, by the DES Wetlands Program, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
3. This permit is not valid unless an Alteration of Terrain permit or other method of compliance with RSA 485-A:17 and Env-Wq 1500 is achieved.
4. The applicant shall coordinate directly with the NH Division of Historical Resources regarding potential impacts to archaeological sensitive areas.
5. Not less than 5 state business days prior to starting work authorized by this permit, the permittee shall notify the NHDES Wetlands Program and the local conservation commission in writing of the date on which work under this permit is expected to start.
6. The permittee shall notify NHDES if modifications to the approved plans are proposed and whether a permit amendment or a new application is required per the requirements of RSA 482-A:3.
7. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.
8. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
9. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction,

and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
10. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
11. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. Erosion control products shall be installed per manufacturers recommended specifications.
13. Work shall be done during low flow or dry conditions.
14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
15. Mulch used within the wetland restoration areas shall be natural straw or equivalent non-toxic, non-seed-bearing organic material.
16. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
17. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
18. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
19. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
20. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.
21. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

With Findings:
1. This project is classified as a Major Project per NH Administrative Rule Env-Wt 303.02(p) and 903.01(g), as the project proposes to install a new a Tier 3 stream crossing.
2. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03.
3. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
4. In a letter dated August 22, 2019, the NH Division of Historic Resources (NHDHR) stated that the project area is considered archaeologically sensitive and that survey will be necessary before informed comment can be made.
5. NHDES conditioned the permit to coordinate directly with NHDHR regarding potential impacts to sensitive areas.
6. The Environmental Protection Agency (EPA) reviewed the application on January 15, 2020, and stated that the project is eligible for a Programmatic General Permit as proposed.
7. The NH Natural Heritage Bureau (NHB) reviewed the application on July 25, 2019, and determined that although there was a NHB record present in the vicinity, they do not expect that it will be impacted by the proposed project.
8. In an email dated December 17, 2019, the Bedford Conservation Commission (BCC) requested to intervene on the application so that they could provide comments.
9. In an email dated January 29, 2020, the BCC stated that they voted to table the application as they have deemed it premature for this site, given that the development would require several planning board waivers, and that the wetland plans do not match the plan presented to the planning board. Also, the BCC noted that more significant changes to the plans may be occurring in the future; therefore, NHDES added a condition requiring a request for permit amendment or a new application if the plans change.
10. The project is considered self-mitigating per Rule Env-Wt 904.04(f), as the applicant has fully addressed the alternative design criteria listed in Rule Env-Wt 904.09, and the 10 foot span of the box culvert is of similar width of the existing beaver dam which will allow the downstream channel to remain as it currently exists.
11. DES has not received any abutter or public comments in objection to the proposed project.
12. In accordance with RSA 482-A:8, NHDES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.

**MINOR IMPACT PROJECT**
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**2019-02435** **ONAWAY CAMP TRUST**

**HEBRON**

Requested Action:

Dredge and fill 240 square feet within the bed and banks of an unnamed perennial stream (Tier 1, impacting 90 linear feet) at its confluence with Newfound Lake, to install a bioengineered bank stabilization project, which will consist of three vertical grade control structures (cross vanes), coir logs and native plantings.

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APPROVE PERMIT
Dredge and fill 240 square feet within the bed and banks of an unnamed perennial stream (Tier 1, impacting 90 linear feet) at its confluence with Newfound Lake, to install a bioengineered bank stabilization project, which will consist of three vertical grade control structures (cross vanes), coir logs and native plantings.

With Conditions:
1. All work shall be in accordance with the plans by Northpoint Engineering, LLC dated August 3, 2018, revised August 10, 2018 as received by the NHDES on January 15, 2020, in addition to the supplemental detail sheets provided in the application titled, "Wetland Impacts", "Upland Planting Berm Location/Erosion Control Plan", and "Dewatering Plan".
2. This permittee accepts that failure of the proposed channelization structures due to natural causes will be considered evidence that the proposed modifications are unsustainable. Repairs to the cross vanes and coir logs will not be approved and the permittee will be responsible for their removal as necessary.
3. Not less than 5 state business days prior to starting work authorized by this permit, the permittee shall notify the NHDES Wetlands Program (Attn: Seta Detzel) and the local conservation commission in writing of the date on which work under this permit is expected to start.
4. No erosion or siltation controls with synthetic netting or thread, such as welded plastic, biodegradable plastic netting or thread-in erosion control matting, shall be permitted on this site.
5. No white pine trees or oak trees shall be removed as a result of this project.
6. All in-stream work shall be conducted during low flow conditions and in a manner that will not cause or contribute to any violations of surface water quality standards in RSA 485-A or Env-Wq 1700.
7. A post-construction report including photographs documenting the status of the completed construction shall be submitted to the NHDES Wetlands Bureau within thirty days of the completion of construction.
8. Prior to starting any work authorized by this permit, the permittee shall place orange construction fencing at the limits of construction to prevent unintentional encroachment on wetlands and surface waters.
9. A certified wetlands scientist or qualified professional, as applicable, shall monitor the project during construction to verify that all work is done in accordance with the approved plans and narratives, adequate siltation and erosion controls are properly implemented, and no water quality violations occur.
10. All work shall be limited to dewatered areas. No in-stream work shall be permitted outside the dewatered areas.
11. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
13. Prior to commencing work on a substructure located within surface waters, the permittee or permittee's contractors shall construct a cofferdam to isolate the substructure work area from the surface waters.
14. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once the cofferdam is fully effective, confined work can proceed without restriction.
15. The temporary cofferdam shall be entirely removed within 2 days after work within the cofferdam is completed and water has returned to normal clarity.
16. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners, c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
17. Dredged materials, whether to be stockpiled or disposed of, shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside of areas subject to RSA 482-A jurisdiction.
18. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
19. Any fill used shall be clean sand, gravel, rock, or other suitable material.
20. Materials used to emulate a natural channel bottom must be consistent with the streambed materials identified in the reference reach, and shall not include angular riprap or gravel unless specifically identified on the approved plans.

21. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
22. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
23. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
24. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.
25. Areas of temporary impact shall be regraded to original contours following completion of work.
26. Mulch used within the wetland restoration areas shall be natural straw or equivalent non-toxic, non-seed-bearing organic material.
27. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code Admin. Rules Env-Wq 1400 during and after construction.
28. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.

With Findings:
1. This is a minor impact project per Administrative Rule Env-Wt 303.03(l), for projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n).
2. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The project consists entirely of natural materials and proposes a relatively small-scale disturbance area. The success of the restoration will be measured by the long term stability of the structures, their ability to reduce bank erosion, and the survival of plantings.
3. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
4. On November 8, 2019, the NH Natural Heritage Bureau (NHB) issued a Datacheck Results Letter for the project (NHB File ID NHB19-3552) identifying one state species of special concern in the vicinity of the project. The permit has been conditioned for New Hampshire Fish and Game Department recommendations; correspondence is included in the file.

**2019-03469** **TOWN OF NORTHFIELD**

**NORTHFIELD Unnamed Wetland**

Requested Action:

Dredge and fill 4,198 square feet within palustrine emergent and forested wetlands and the bed and banks of an unnamed intermittent stream (tier 1, impacting 194 linear feet [LF]) in order to install a 24-inch diameter by 232-foot-long culvert to restore hydraulic connectivity within a wetland and alleviate flooding.

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APPROVE PERMIT
Dredge and fill 4,198 square feet within palustrine emergent and forested wetlands and the bed and banks of an unnamed intermittent stream (tier 1, impacting 194 linear feet [LF]) in order to install a 24-inch diameter by 232-foot-long culvert to restore hydraulic connectivity within a wetland and alleviate flooding.

With Conditions:
1. All work shall be in accordance with plans by HEB Engineers, Inc. dated October 11, 2019, and revised through January 13, 2020, as received by the NH Department of Environmental Services (NHDES) on January 15, 2020.
2. If any work associated with the project authorized by this permit will encroach on an abutter's property or occur within 20 feet of the property line, then prior to starting work the permittee shall (1) obtain temporary construction easements or other written agreements from the owner of the abutting property, and (2) submit a copy of each agreement to the NHDES Wetlands Bureau.
3. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
4. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.

5. Work shall be done during low flow and in dry conditions.
6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
8. Erosion control products shall be installed per manufacturers recommended specifications.
9. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
10. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
11. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. Prior to commencing work on a substructure located within surface waters, the permittee or permittee's contractors shall construct a cofferdam to isolate the substructure work area from the surface waters.
13. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once the cofferdam is fully effective, confined work can proceed without restriction.
14. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow only. The permittee shall monitor local weather forecasts to avoid working during or following precipitation events.
15. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
16. The temporary cofferdam shall be entirely removed within 2 days after work within the cofferdam is completed and water has returned to normal clarity.
17. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
18. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
19. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
20. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.
21. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation must be revegetated with like native species within three days of the completion of the disturbance.
22. Precautions shall be taken to prevent import or transport of soil or seed stock containing nuisance or invasive species such as Purple Loosestrife, Knotweed, or Phragmites. The contractor responsible for work shall appropriately address invasive species in accordance with the NHDOT Best Management Practices for Roadside Invasive Plants (2008).
23. The permittee/permittee's contractor shall revegetate the disturbed area with trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project, exclusive of any invasive or nuisance species.
24. Any fill used shall be clean sand, gravel, rock, or other suitable material.
25. Native material removed from the streambed shall be stockpiled separately and reused to emulate a natural channel bottom. Any imported material shall be well-graded and properly sized to match the native material found upstream and downstream of the proposed construction. All stones shall be round, without fractures, and washed in with sand and fines.
26. The recreated stream channel bed must maintain a natural and consistent streambed elevation and not impede stream flow or aquatic organism passage.
27. Proper headwalls shall be constructed within seven days of culvert installation.
28. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
29. Where construction activities occur between November 30 and May 1, all exposed soil areas shall be stabilized within 1 day of establishing the grade that is final or that otherwise will exist for more than 5 days. Stabilization shall include placing 3-inches of base course gravels, or loaming and mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:
1. This project is classified as a Minor Project per NH Administrative Rule Env-Wt 303.03(h) as the project involves the alteration of less than 20,000 square feet (SF) of nontidal wetlands, nontidal surface waters, and banks adjacent to nontidal surface waters in the aggregate.
2. The purpose of this project is to alleviate flooding caused by recent roadway improvements by restoring wetlands connectivity that was interrupted by existing railroad infrastructure. This project will protect existing infrastructure and private properties from flood damage.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact

to areas and environments under the department's jurisdiction per Env-Wt 302.03 as the re-grading within the wetland and intermittent stream has been reduced to the minimum required in order to promote positive drainage through the site and prevent additional flooding and backwatering of the culvert, and vegetative stabilization methods will be used to prevent scour at the outlet as opposed to hard armoring with riprap.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. In a review letter dated October 08, 2019, and received by NHDES on October 31, 2019, the Natural Heritage Bureau (NHB) stated that there was no record of a sensitive species located in the vicinity of the project.
6. In a regulatory review dated October 08, 2019, and received by NHDES on October 31, 2019, the US Fish and Wildlife Service found that while Northern Long-eared Bats (Myotis septentrionalis) were present in the vicinity of the site, there were no critical habitats for this species at this location and that the activities proposed are not prohibited under the ESA Section 4(d) Rule for this species.
7. In a letter dated December 04, 2019, and received by NHDES on December 09, 2019, the New Hampshire Department of Historical Resources (DHR) stated that there are no archaeological concerns related to the proposed project.
8. In a permanent drainage easement signed December 11, 2019, and received by NHDES on January 15, 2020, the abutting property owner at Northfield Tax Map #R9 Lot #26B granted the applicant consent to perform and maintain the work authorized under this permit on or within 20 feet of their property.
9. In a letter dated May 21, 2019, the NH Department of Transportation provided the applicant with a Crossing Agreement to install and maintain the proposed culvert within the railroad Right-of-Way. The applicant signed and notarized the agreement on June 11, 2019.
10. In a letter dated January 10, 2020, and received by NHDES on January 15, 2020, the Town of Northfield informed NHDES that the Northfield Selectboard is in the process of obtaining signatures for the permanent easement on the abutting property at Northfield Tax Map #R9, Lot #39. NHDES has made the permit conditional upon the receipt of abutter authorization for impacts occurring on their property.
11. As of February 14, 2020, no comments of concern have been received by NHDES from abutters or local governing organizations.

**2019-03905** **GREGORY J KOPRIVA TRUST**

**WOLFEBORO LAKE WINNIPESAUKEE**

Requested Action:

Install a 14 foot x 30 foot seasonal canopy adjacent to an existing 4 foot x 30 foot piling dock and 6 foot x 37 foot piling dock connected by a 4 foot x 12 foot permanent walkway in an "h" configuration on an average of 105.5 foot of frontage on Lake Winnipesaukee in Wolfeboro.

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APPROVE PERMIT
Install a 14 foot x 30 foot seasonal canopy adjacent to an existing 4 foot x 30 foot piling dock and 6 foot x 37 foot piling dock connected by a 4 foot x 12 foot permanent walkway in an "h" configuration on an average of 105.5 foot of frontage on Lake Winnipesaukee in Wolfeboro.

With Conditions:
1. All work shall be in accordance with plans by Advantage NH Lakes dated December 6, 2019 and received by the NH Department of Environmental Services (NHDES) on December 13, 2019
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the NHDES Wetlands Program by certified mail, return receipt requested.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
4. Work authorized shall be carried out such that there are no discharges in or to spawning or nursery areas during spawning seasons. Impacts to such areas shall be avoided or minimized to the maximum extent practicable during all other times of the year.
5. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no

turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
7. All construction-related debris shall be placed outside of the areas subject to RSA 482-A.
8. Only those structures shown on the approved plans shall be installed or constructed along this frontage.
9. Any subdivision of the property frontage will require removal of a sufficient portion of the docking structures to comply with the dock size and density requirements in effect at the time of the subdivision.
10. All seasonal structures shall be removed for the non-boating season.
11. The canopy, including the support frame and cover, shall be designed and constructed to be readily removed at the end of the boating season and the flexible canopy shall be removed for the non-boating season.
12. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
13. This permit shall not preclude NHDES from initiating appropriate action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by or on behalf of the permittee were not previously permitted or grandfathered.

With Findings:
1. This is a minor impact project per Administrative Rule Env-Wt 303.03(m) Installation of new tie-off piles, ice clusters, or dolphins which do not, by their presence, add boat slips to an existing docking system.
2. The proposed seasonal canopy is located within the 20 foot abutter setback.
3. In accordance with RSA 482-A:3(XIII)(C), boat docking facilities may be located closer than 20 feet from an abutter's property line in non-tidal waters and 20 feet in tidal waters, if the owner of the boat docking facility obtains the written consent of the abutting property owner.
4. The owner of the proposed boat docking facility has obtained and provided consent from the abutting property owner, and has therefore met the requirement of RSA 482-A:3(XIII)(C).
5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
6. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
7. This application was filed and deemed complete prior to December 15, 2019, and therefore, was reviewed for compliance with Administrative Rules Chapters Env-Wt 100 - 900 in effect on the date of filing.

**MINIMUM IMPACT PROJECT**
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**2019-03224** **CITY OF PORTSMOUTH**

**DURHAM PISCATAQUA RIVER**

Requested Action:

Temporarily impact 200 square feet of tidal wetland to complete geotechnical exploration to evaluate soil conditions to inform the design to replace an existing water main crossing of Little Bay between Durham and Newington. In addition, 190 square feet of salt marsh will be temporarily impacted for access.

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APPROVE PERMIT
Temporarily impact 200 square feet of tidal wetland to complete geotechnical exploration to evaluate soil conditions to inform the design to replace an existing water main crossing of Little Bay between Durham and Newington. In addition, 190 square feet of salt marsh will be temporarily impacted for access.

With Conditions:
1. All work shall be in accordance with plans by Wright-Pierce dated October 2019, revised through November 01, 2019, last received by the NH Department of Environmental Services (NHDES) on November 21, 2019.
2. Work shall be performed during low tide and during low flow conditions.
3. Appropriate siltation, erosion and turbidity controls shall be in place prior to construction, shall be maintained during

construction, and shall remain until the area is stabilized. Temporary erosion controls shall be removed once the area has been stabilized.
4. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
5. All dredged and excavated material and construction related debris shall be placed outside of areas subject to RSA 482-A.
6. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
7. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and New Hampshire Administrative Rules Chapter Env-Wq 1700.
8. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas as well as migratory fish spawning and rearing habitat.
9. To prevent the introduction of invasive plant species to the site, the permittee's contractor(s) shall inspect and clean all soils and vegetation from equipment and matting before it is moved to the site.

MONITORING
10. A certified wetlands scientist or qualified professional, as applicable, shall be on-site to monitor the project to verify that all work is done in accordance with the approved plans and narratives, adequate siltation and erosion controls are properly implemented, no water quality violations occur and salt marsh vegetation is restored and established successfully.
11. The permittee shall notify the NHDES Wetlands Bureau, in writing, of the qualified professional(s) that have been retained to ensure that the work and restoration of temporary impact areas are constructed in accordance with the approved plans. The permittee shall re-notify the NHDES Wetlands Bureau if the identity of the qualified professional(s) changes during the project.
12. The qualified professional shall monitor the project following removal of the matting, to ensure that the temporary impact of the matting does not have lasting impact on the underlying vegetation and soil conditions.
13. The permittee, qualified professional(s), and permittee's contractor(s) shall coordinate with NHDES to take remedial actions as may be necessary to create stable salt marsh.
14. A follow-up report including photographs of all stages of the project shall be submitted to the NHDES Wetlands Bureau (Stefanie.Giallongo@des.nh.gov) within 60 days of final site stabilization.

With Findings:
1. This is a Minimum Impact Project per New Hampshire Administrative Rule Env-Wt 303.04(o), projects deemed minimum impact by the department based on the degree of environmental impact.
2. This proposal is preliminary geotechnical work required to inform the design to replace an existing municipal water main crossing of Little Bay between Durham and Newington.
3. The proposed impact is temporary, and involves minimal excavation for 4 inch boring holes and no placement of fill material. The proposed impacts are necessary in order to install a temporary matting for access to boring locations.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per NH Administrative Rule Env-Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in NH Administrative Rule Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
6. In correspondence dated September 26, 2019, the NH Division of Historical Resources found that no historic properties are expected to be affected by the project, as proposed.
7. The Natural Heritage Bureau (NHB) reports submitted with the application package (NHB19-0978) identified potential impact to exemplary natural communities plus threatened or endangered wildlife species.
8. A meeting was held with NHDES, NHB, NHFG and the applicant's agent on January 14, 2020; notes are available in the application file.
9. The applicant has coordinated with NHB and the NH Department of Fish and Game (NHFG) and it was determined that the project, as proposed, is not expected to adversely impact these sensitive resources.

**2019-03538** **TOWN OF SUNAPEE**

**SUNAPEE SUNAPEE LAKE**

Requested Action:

Replenish an existing beach with 20 cubic yards of sand on frontage along Sunapee Lake in Sunapee.

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APPROVE AFTER THE FACT
Replenish an existing beach with 20 cubic yards of sand on frontage along Sunapee Lake in Sunapee.

With Conditions:
1. All work shall be in accordance with revised plans by Fuss & O'Neill dated October 14, 2019 as received by the NH Department of Environmental Services (NHDES) on November 4, 2019.
2. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
3. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
4. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
6. All excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
7. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
8. No more than 20 cubic yards of sand shall be used and all sand shall be located above the normal high water line.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

With Findings:
1. This is a minor impact project per Administrative Rule Env-Wt 303.03(f), replenishment of no more than 20 cubic yards of clean sand.
2. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
3. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

**2019-03561** **RENEY, FAITH/THOMAS**

**SUNAPEE Unnamed Stream**

Requested Action:

Dredge and fill 1,380 square feet within palustrine forested wetlands and 30 square feet within the bed and banks of an intermittent stream (Tier 1, impacting 30 linear feet) to install two 20 foot long culverts, 18 inches and 15 inches in diameter, for a residential driveway.

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APPROVE PERMIT
Dredge and fill 1,380 square feet within palustrine forested wetlands and 30 square feet within the bed and banks of an intermittent stream (Tier 1, impacting 30 linear feet) to install two 20 foot long culverts, 18 inches and 15 inches in diameter, for a residential driveway.

With Conditions:
1. All work shall be in accordance with plans by Greenline Property Services, LLC dated November 3, 2019, revised January 28, 2020 as received by the NH Department of Environmental Services on January 31, 2020.
2. This permit is not valid unless a septic system construction approval or other compliance with RSA 485-A:29-44 and Env-Wq 1000 is achieved.

3. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.
4. A certified wetlands scientist or qualified professional, as applicable, shall provide a follow-up report including photos of the completed project construction to the NHDES Wetlands Program within 30 days of final site stabilization.
5. Work shall be done during low flow and in the dry only.
6. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
7. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
8. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
10. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
11. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
12. The channel at the culvert inlet and outlet must maintain the natural and a consistent streambed elevation and not impede stream flow.
13. Proper headwalls shall be constructed within seven days of culvert installation.
14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
15. Where construction activities occur between November 30 and May 1, all exposed soil areas shall be stabilized within 1 day of establishing the grade that is final or that otherwise will exist for more than 5 days. Stabilization shall include placing 3-inches of base course gravels, or loaming and mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:
1. This is a Minimum Impact Project per Administrative Rule Env-Wt 303.04(z), for installation of a stream crossing and associated fill to permit vehicular access to a piece of property for a single family building lot.
2. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. Access from the existing driveway to the south would result in wetland impacts.
3. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2020-00055** **ELLEN J VERMILYEA 1992 TRUST**

**PEMBROKE Unnamed Wetland**

Requested Action:

Dredge and fill 530 square feet of palustrine forested wetlands to construct a driveway for access to a lot proposed for subdivision.

**********

APPROVE PERMIT
Dredge and fill 530 square feet of palustrine forested wetlands to construct a driveway for access to a lot proposed for subdivision.

With Conditions:
1. In accordance with Env-Wt 307.16, all work shall be done in accordance with the approved plans dated December 2019 by T.F. Bernier, Inc., as received by the NH Department of Environmental Services (NHDES) on January 10, 2020.
2. All work shall be conducted and maintained in such a way as to protect water quality as required by Rule Env-Wt

307.03(a) through (h).
3. In accordance with Env-Wt 307.03(a), no activity shall be conducted in such a way as to cause or contribute to any violation of surface water quality standards specified in RSA 485-A:8 or Env-Wq 1700; ambient groundwater quality standards established under RSA 485-C; limitations on activities in a sanitary protective area established under Env-Dw 302.10 or Env-Dw 305.10; or any provision of RSA 485-A, Env-Wq 1000, RSA 483-B, or Env-Wq 1400 that protects water quality.
4. In accordance with Env-Wt 307.03(b), all work, including management of soil stockpiles, shall be conducted so as to minimize erosion, minimize sediment transfer to surface waters or wetlands, and minimize turbidity in surface waters and wetlands using the techniques described in Env-Wq 1505.02, Env-Wq 1505.04, Env-Wq 1506, and Env-Wq 1508; the applicable BMP manual; or a combination thereof, if the BMP manual provides less protection to jurisdictional areas than the provisions of Env-Wq 1500.
5. In accordance with Env-Wt 307.03(c)(1), water quality control measures shall be selected and implemented based on the size and nature of the project and the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to jurisdictional areas.
6. In accordance with Env-Wt 307.03(c)(3), water quality control measures shall be installed prior to start of work and in accordance with the manufacturer's recommended specifications or, if none, the applicable requirements of Env-Wq 1506 or Env-Wq 1508.
7. In accordance with Env-Wt 307.03(c)(4), water quality control measures shall be capable of minimizing erosion; collecting sediment and suspended and floating materials; and filtering fine sediment.
8. In accordance with Env-Wt 307.03(c)(5), water quality control measures shall be maintained so as to ensure continued effectiveness in minimizing erosion and retaining sediment on-site during and after construction.
9. In accordance with Env-Wt 307.03(c)(7), temporary water quality control methods shall be removed upon completion of work when compliance with Env-Wt 307.03(c)(6) is achieved.
10. In accordance with Env-Wt 307.03(g)(2), the person in charge of construction equipment shall repair any leaks prior to using the equipment in an area where such fluids could reach groundwater, surface waters, or wetlands.
11. In accordance with Env-Wt 307.03(g)(3) and (4), the person in charge of construction equipment shall maintain oil spill kits and diesel fuel spill kits, as applicable to the type(s) and amount(s) of oil and diesel fuel used, on site so as to be readily accessible at all times during construction; and train each equipment operator in the use of the spill kits.
12. In accordance with Env-Wt 307.03(h), equipment shall be staged and refueled outside of jurisdictional areas (unless allowed) and in accordance with Env-Wt 307.15.
13. In accordance with Env-Wt 307.05(e), to prevent the use of soil or seed stock containing nuisance or invasive species, the contractor responsible for work shall follow Best Management Practices for the Control of Invasive and Noxious Plant Species.
14. All dredging activities shall meet all of the conditions listed in Rule Env-Wt 307.10(a) through (n).
15. In accordance with Env-Wt 307.10(d), dredged materials shall be disposed of out of jurisdictional areas, unless other disposition is specifically permitted pursuant to Env-Wt 307.10(e).
16. In accordance with Env-Wt 307.10(f), dredged materials to be stockpiled in uplands shall be dewatered in sedimentation basins that are contained within turbidity controls that prevent turbid water from leaving the basins; and located outside of any jurisdictional area.
17. All temporary and permanent filling activities shall meet all of the conditions listed in Rule Env-Wt 307.11(a) through (l).
18. In accordance with Env-Wt 307.11(a), fill shall be clean sand, gravel, rock, or other material that meets the project's specifications for its use; and does not contain any material that could contaminate surface or groundwater or otherwise adversely affect the ecosystem in which it is used.
19. In accordance with Env-Wt 307.11(b), limits of fill shall be clearly identified prior to commencement of work and controlled in accordance with Env-Wt 307.03 to ensure that fill does not spill over or erode into any area where filling is not authorized.
20. In accordance with Env-Wt 307.11(c), slopes shall be immediately stabilized by a method specified in Env-Wq 1506 or Env-Wq 1508, as applicable, to prevent erosion into adjacent wetlands or surface waters.
21. In accordance with Env-Wt 307.15(a), heavy equipment shall not be operated in any jurisdictional area unless specifically authorized by this permit.
22. In accordance with Env-Wt 307.15(b), mobile heavy equipment working in wetlands shall not be stored, maintained, or repaired in wetlands, except that repairing or refueling in a wetland is allowed if equipment cannot practicably be removed and secondary containment is provided.
23. In accordance with Env-Wt 524.05(a), residential, commerical or industrial development projects in non-tidal wetlands shall submit a construction notice with the department at least 48 hours prior to commencing work.

With Findings:
1. This is classified as a minimum impact project per Rule Env-Wt 407.03(a), as impacts to jurisdictional areas other than a watercourse are less than 3,000 square feet (SF), and the project is not subject to an adjustment under Env-Wt 407.02, does not qualify for a project-type exception (PTE) under Env-Wt 407.04, and does not qualify for project-specific size criteria as identified in Env-Wt 407.04, Table 407-2; it is also classified as a minimum impact project per Rule Env-Wt 524.06(a), as the

project meets all of the criteria for a residential development.
2. Per Rule Env-Wt 306.05, the applicant has addressed all of the required planning items that are used to determine the appropriate impact classification of a project and the type of approval required.
3. Per Rule Env-Wt 306.06(c), abutter notification is not required as the project meets one of the criteria listed in (c)(1) through (4).4.
4. The residential development project meets the all of the approval criteria established in Env-Wt 524.02.
5. Per Rule Env-Wt 313.01(a)(4), all project-specific criteria established in Env-Wt 525 have been met.
6 Per Rule Env-Wt 313.01(a)(5), and as required by RSA 482-A:11, II, this permit for work to dredge or fill will not "infringe on the property rights or unreasonably affect the value or enjoyment of property of abutting owners" based on documentation that the proposed dredge and fill activity will be located entirely within the boundary of the applicant's property interest and will not result in any observable change in off-site surface water levels or flows.
7. Per Rule Env-Wt 313.03(a), the applicant has demonstrated that potential impacts to jurisdictional areas have been avoided to the maximum extent practicable and that any unavoidable impacts have been minimized. Per Rule Env-Wt 311.06(h), the municipal conservation commission did not provide comments on the proposed project.
8. Per Rule Env-Wt 311.01(b), the applicant coordinated with the NH Fish and Game Department (NHF&G) and the Natural Heritage Bureau (NHB) to determine how to avoid and minimize project-related impacts on rare or protected animal species and habitat, and on protected plants or exemplary natural communities.
9. Per Rule Env-Wt 311.06(j), the US Fish & Wildlife Service federal agency provided comments on the proposed project on 11/26/2020, and the applicant has addressed the comments.
10. Per Rule Env-Wt 406.03(a), a delineation of wetlands, including vernal pools, was not required for this project.

**SHORELAND STANDARD**
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**2015-00379**

**MARANGIELLO, DONATO**

**ALTON LAKE WINNIPESAUKEE**

Requested Action:

Request name change to Donato Marangiello to impact 9,544 sq ft in order to construct a new house, shed, effluent disposal system, patio, and a pathway to the water.

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APPROVE NAME CHANGE
Change name and address to Donato Marangiello 62 Hancock Street Malden MA 02148 to Impact 9,544 sq ft in order to construct a new house, shed, effluent disposal system, patio, and a pathway to the water.

With Conditions:
1. All work shall be in accordance with plans by Folsom Design Group dated January 13, 2015 and received by the NH Department of Environmental Services (DES) on February 19, 2015.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 8.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 2,543 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

**2016-01426** **BARTOLOTTA, JARED**

**DERRY BALLARD POND**

Requested Action:

Impact 14,700 square feet of protected shoreland in order to construct of a new residential structure with associated access, septic and well. The applicant has requested to relocate the primary structure and remove the barn from the previous plan and add a shed.

**********

APPROVE AMENDMENT
Impact 14,700 square feet of protected shoreland in order to construct of a new residential structure with associated access, septic and well. The applicant has requested to relocate the primary structure and remove the barn from the previous plan and add a shed.

With Conditions:
1. All work shall be in accordance with plans by TJW Survey dated April 2015 and received by the NH Department of Environmental Services (DES) on May 20, 2016.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a), (2), (D), (iv).
4. No more than 16% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2019-03553** **WILKINSON, JAMES**

**FITZWILLIAM LAUREL LAKE**

Requested Action:

Impact 3,200 square feet of protected shoreland in order to demolish a portion of the nonconforming primary structure to construct an addition to the primary structure with stormwater management and to install a septic system.

**********

DENY PERMIT-INSUFFICIENT & UNTIMELY RESP
Impact 3,200 square feet of protected shoreland in order to demolish a portion of the nonconforming primary structure to construct an addition to the primary structure with stormwater management and to install a septic system.

With Findings:
Standards for Approval

1. Pursuant to RSA 483-B:5-b Permit Required, Exemption, V, any request for additional information shall specify that the applicant submit such information as soon as practicable and notify the applicant that if all of the requested information is not received within 60 days of the request, the department shall deny the application.

Finding of Fact

1. On November 7, 2019, NHDES received Shoreland Application 2019-03553 ("PBN 2019-03553") for the demolition of a portion of the nonconforming primary structure to construct an addition to the primary structure with stormwater management and to install a septic system on the property identified as Lot# 21 on the Fitzwilliam Tax Map 23 ("the Property").
2. On November 26, 2019, NHDES issued a Request for More Information to the Owner, with a copy to the Agent, explaining that additional information was required to clarify and complete the Application, and that failure to provide the requested information within 60 days of the letter (i.e., by January 25, 2020), would result in the denial of the Application. The item requested was for the outstanding filing fee of $620.00.
3. The outstanding fee was not received by the Department.

Rulings in Support of the Decision

1. The Owner has failed to provide the item requested in the department's November 26, 2019, Request for More Information. Therefore, the application is denied pursuant to RSA 483-B:5-b, V (a).

**2019-03657** **ATTILA, KAROL/SIMON**

**MOULTONBOROUGH LAKE WINNIPESAUKEE**

Requested Action:

Impact 800 square feet of protected shoreland in order to construct 2 decks on the primary structure and install vegetation. Application includes, retaining impacts and the placement of fill prior to receiving a Shoreland Permit.

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APPROVE PERMIT
Impact 800 square feet of protected shoreland in order to construct 2 decks on the primary structure and install vegetation. Application includes, retaining impacts and the placement of fill prior to receiving a Shoreland Permit.

With Conditions:
1. All work shall be in accordance with plans by Karol Simon dated January 14, 2020 and received by the NH Department of Environmental Services (DES) on January 21, 2020.
2. No more than 19% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
6. Any fill used shall be clean sand, gravel, rock, or other suitable material.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2019-03758** **OCONNELL, KURT**

**WOODSTOCK PEMIGEWASSET RIVER**

Requested Action:

Impact 12,000 square feet of protected shoreland in order to remove 3 sheds to construct 3 primary structures with stormwater management, modify the driveway, and install a septic system.

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APPROVE PERMIT
Impact 12,000 square feet of protected shoreland in order to remove 3 sheds to construct 3 primary structures with stormwater management, modify the driveway, and install a septic system.

With Conditions:
1. All work shall be in accordance with plans by Duffield Engineering & Consulting dated November 30, 2019 and revised on January 26, 2020 as received by the NH Department of Environmental Services (NHDES) on January 31, 2020.
2. Neither the new primary structures nor the proposed septic system may be constructed until the system is approved by the NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 24.0% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Native vegetation within an area of at least 3,350 square feet within the Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. The proposed drip edges shall be installed and maintained to effectively absorb and infiltrate stormwater.
11. Photographs documenting the construction of the proposed drip edges shall be submitted to the Department prior to any party taking up occupancy of the new residential primary structure./ within 30 days of the completion of construction.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
14. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
15. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2020-00020** **QUINN, TY**

**NOTTINGHAM PAWTUCKAWAY POND**

Requested Action:

Impact 4,140 square feet of protected shoreland in order to construct new garage, covered porch within the woodland buffer, including a relocated updated septic system, added pervious pavement/pavers, added roof dripline trenches. Also included is proposed planting to restore the required 'unaltered state' within the natural buffer.

Temporary Waiver Granted: Temporarily reduce the area of the Woodland Buffer in which vegetation remains in an unaltered state below that required per RSA 483-B:9, V, (b) for the purposes of installing a new a septic system. Post-construction restoration planting required.

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APPROVE PERMIT
Impact 4,140 square feet of protected shoreland in order to construct new garage, covered porch within the woodland buffer, including a relocated updated septic system, added pervious pavement/pavers, added roof dripline trenches. Also included is proposed planting to restore the required 'unaltered state' within the natural buffer.

Temporary Waiver Granted: Temporarily reduce the area of the Woodland Buffer in which vegetation remains in an unaltered state below that required per RSA 483-B:9, V, (b) for the purposes of installing a new a septic system. Post-construction restoration planting required.

With Conditions:
1. All work shall be in accordance with plans by Landry Surveying, LLC dated December 2019 and received by the NH Department of Environmental Services (DES) on January 7, 2020.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 26% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. Within 60 days of the completion of the framing of the proposed structure the Permittee shall have replanted and restored native vegetation to the required minimum of 1,220 square feet within the Natural Woodland Buffer located between 50 and 150 feet landward of the reference line. This vegetation shall then be retained in an unaltered state in order to comply with RSA 483-B:9, V(b)(2).
6. Within 90 days the completion of the framing of the proposed structure the Permittee shall provide documentation, including photos, showing that restoration of the Natural Woodland Buffer has occurred to the DES Wetlands Bureau.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. All pervious technologies used shall be installed and maintained to effectively absorb and infiltrate stormwater.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2020-00138** **SHOALS REALTY LLC**

**RYE UNNAMED TIDAL AND FRESHWATER MARSH**

Requested Action:

Impact 18,000 square feet of protected shoreland in order to construct a 5 bedroom primary structure with attached garage and conduct other site improvements. Project includes an on-site septic system.

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APPROVE PERMIT
Impact 18,000 square feet of protected shoreland in order to construct a 5 bedroom primary structure with attached garage and conduct other site improvements. Project includes an on-site septic system.

With Conditions:
1. All work shall be in accordance with plans by Altus Engineering, Inc. dated January 21, 2020 and received by the NH Department of Environmental Services (DES) on January 27, 2020.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the DES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 28.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. The proposed (stormwater management structures) shall be installed and maintained to effectively absorb and infiltrate stormwater.
10. Photographs documenting the construction of the proposed (stormwater management structures) shall be submitted to the Department prior to any party taking up occupancy of the new residential primary structure.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.

**2020-00139** **BRITIN PROPERTY MANAGEMENT LLC**

**ENFIELD CRYSTAL LAKE**

Requested Action:

Impact 1,208 square feet of protected shoreland in order construct a 16 foot x 26 foot attached garage, a 14 foot x 28 inch attached addition, a 4 foot x 16 foot attached covered walkway and adjacent temporary impact for construction.

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APPROVE PERMIT
Impact 1,208 square feet of protected shoreland in order construct a 16 foot x 26 foot attached garage, a 14 foot x 28 inch attached addition, a 4 foot x 16 foot attached covered walkway and adjacent temporary impact for construction.

With Conditions:
1. All work shall be in accordance with plans by ALW Surveys dated January 2020 and received by the NH Department of Environmental Services (DES) on January 27, 2020.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. No more than 13.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. Native vegetation within an area of at least 3,375 square feet within the Natural Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2020-00148** **LANE LODGES ON WINNISQUAM LLC**

**BELMONT WINNISQUAM LAKE**

Requested Action:

Impact 600 square feet of protected shoreland in order to remove existing structure on sonotubes to install a foundation and reconstruct in the same footprint.

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APPROVE PERMIT
Impact 600 square feet of protected shoreland in order to remove existing structure on sonotubes to install a foundation and reconstruct in the same footprint.

With Conditions:
1. All work shall be in accordance with plans by Carlton Lane dated January 2020 and received by the NH Department of Environmental Services (DES) on January 28, 2020.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. No more than 29% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the

growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**SEASONAL DOCK SPN**
**********

**2020-00205** **HILL, LEO/RENEE**

**TUFTONBORO LOWER BEECH POND**

Requested Action:

Install a seasonal pier not to exceed 3 foot x 18 foot on frontage along Lower Beech Pond in Tuftonboro.

**********

COMPLETE NOTIFICATION
Install a seasonal pier not to exceed 3 foot x 18 foot on frontage along Lower Beech Pond in Tuftonboro.

**FORESTRY SPN**
**********

**2020-00168** **HEIRS, TWITCHELL**

**ERROL Unnamed Stream**

**********

COMPLETE NOTIFICATION
ERROL; MAP# R11; LOT# 2B

**2020-00216** **OWEN, CYNTHIA**
**SCHMIDL, JOSEPH**

**SALISBURY Unnamed Stream**

**********

COMPLETE NOTIFICATION
SALISBURY; TAX MAP# 238; LOT# 24

**2020-00217** **VETRO, GINA**

**EFFINGHAM Unnamed Stream**

**********

COMPLETE NOTIFICATION
EFFINGHAM; TAX MAP(S)# 204/412; LOT(S)# 71/90

**2020-00219** **BAYROOT LLC**

**DIX GRANT Unnamed Stream**

**********

COMPLETE NOTIFICATION
DIX GRANT; TAX MAP# 1626; LOT(S)# 10,32

**2020-00229** **CARPINO, JOSEPH**

**DEERFIELD Unnamed Stream**

**********

COMPLETE NOTIFICATION
DEERFIELD; TAX MAP# 420; LOT# 53

**2020-00232** **SMITH, JOHN**

**JAFFREY Unnamed Stream**

**********

COMPLETE NOTIFICATION
MARLBOROUGH; TAX MAP# 202; LOT# 4

**2020-00233** **CUNNINGHAM, ROBERT & AARAN**

**LITTLETON Unnamed Stream**

**********

COMPLETE NOTIFICATION
LITTLETON; TAX MAP# 1; LOT# 1

**2020-00238** **HOUSTON, DONALD**

**HOPKINTON Unnamed Stream**

**********

COMPLETE NOTIFICATION
HOPKINTON; TAX MAP# 227; LOT# 30

**2020-00252** **CYR, CHARLENE**

**ROXBURY Unnamed Stream**

**********

COMPLETE NOTIFICATION
ROXBURY; TAX MAP# 405; LOT# 15

**2020-00255** **COOMBS, JEFFREY**

**SANDWICH Unnamed Stream**

**********

COMPLETE NOTIFICATION
SANDWICH; TAX MAP# R1; LOT# 13

**2020-00263** **WOLCHKO, RICHARD**

**LEE Unnamed Stream**

**********

COMPLETE NOTIFICATION
LEE; TAX MAP# 7; LOT# 11

**UTILITY SPN**
**********

**2020-00240** **EVERSOURCE ENERGY**

**ANDOVER Unnamed Stream**

**********

COMPLETE NOTIFICATION
Temporary wetland impacts associated with the replacement of 32 utility structures.

**2020-00241** **EVERSOURCE ENERGY**

**WILMOT Unnamed Stream**

**********

COMPLETE NOTIFICATION
1) Temporary wetland impacts associated with the replacement of five utility structures.

**2020-00242** **EVERSOURCE ENERGY**

**NEW LONDON Unnamed Stream**

**********

COMPLETE NOTIFICATION
1) Temporary wetland impacts associated with the replacement of 14 utility structures.

**2020-00243** **EVERSOURCE ENERGY**

**SUNAPEE Unnamed Stream**

**********

COMPLETE NOTIFICATION
1) Temporary wetland impacts associated with the replacement of 12 utility structures.

**2020-00248** **EVERSOURCE ENERGY**

**SPRINGFIELD Unnamed Stream**

**********

COMPLETE NOTIFICATION
1) Temporary wetland impacts associated with the replacement of nine utility structures.

**2020-00265** **UNITIL ENERGY SYSTEMS INC**

**HAMPTON Unnamed Stream**

**********

COMPLETE NOTIFICATION
Temporary wetland impacts for the replacement of three utility poles. Access via barge.

**2020-00266** **UNITIL ENERGY SYSTEMS INC**

**SEABROOK Unnamed Stream**

**********

COMPLETE NOTIFICATION
Temporary wetland impacts for the Replacement of five utility poles. Access via barge

**SMALL MOTOR MINERAL DREDGE**
**********

**2020-00236** **FRENETTE, ARTHUR**

**(ALL TOWNS) Unnamed Stream**

**********

COMPLETE NOTIFICATION
Small Motor Mineral Dredge

**2020-00261** **BOSSIE, JOSEPH**

**(ALL TOWNS) Unnamed Stream**

**********

COMPLETE NOTIFICATION
Small Motor Mineral Dredge

**WETLAND PBN**
**********

**2020-00212** **MANLEY, MARK**

**HANCOCK Unnamed Stream**

Requested Action:

Temporarily impact 24 square feet (8 linear feet) of an unnamed perennial stream for the installation of an underground residential utility line.

**********

PBN DISQUALIFIED
Temporarily impact 24 square feet ( impacting 8 linear feet) of an unnamed perennial stream for the installation of an underground residential utility line.

With Findings:
1. A temporary coffer dam is proposed as part of the project and the plans have not been dated, signed and stamped by a licensed professional engineer. In accordance with Administrative Rule Env-Wt 309.07(c)(5)(i), plan(s) for any project using a temporary coffer dam must have the date, signature, and seal of the licensed professional engineer who prepared or had responsibility for the plan(s).

**2020-00222** **GREAT RIVER HYDRO LLC**

**LITTLETON CONNECTICUT RIVER**

Requested Action:

Dredge and fill 456 square feet of the Connecticut River (impacting 42 linear feet) to replace the ties of a boat launch.

**********

PBN DISQUALIFIED
Dredge and fill 456 square feet of the Connecticut River (impacting 42 linear feet) to replace the ties of a boat launch.

With Findings:
1. Photos showing the area to be impacted were not included and are required per Administrative Rule Env-Wt 309.07(b)(5).
2. The project plans did not include the proposed sequence of construction as required per Env-Wt 309.07(c)(5)(g).
3. in accordance with Env-Wt 309.08, if the PBN application does not contain all information and certifications required by Env-Wt 309.07, the department shall deny the application and notify the applicant of the reason(s) for the denial in writing.

**2020-00226** **GREAT RIVER HYDRO LLC**

**LITTLETON CONNECTICUT RIVER**

Requested Action:

Dredge and fill 1032 square feet of the Connecticut River (impacting 42 linear feet) to replace the ties of a boat launch.

**********

PBN DISQUALIFIED
Dredge and fill 1032 square feet of the Connecticut River (impacting 42 linear feet) to replace the ties of a boat launch.

With Findings:
1. Photos showing the area to be impacted were not included and are required per Administrative Rule Env-Wt 309.07(b)(5).
2. The project plans did not include the proposed sequence of construction as required per Env-Wt 309.07(c)(5)(g).
3. in accordance with Env-Wt 309.08, if the PBN application does not contain all information and certifications required by Env-Wt 309.07, the department shall deny the application and notify the applicant of the reason(s) for the denial in writing.